



Arizona Industry Liaison Group Affiliate

# Quad A News

## The Arizona Medical Marijuana Act – FAQs for Employers



On November 2, 2010, Arizona voters passed the Arizona Medical Marijuana Act. Under the new law, individuals with specified medical conditions will be allowed to obtain a registry identification card from the Arizona Department of Health Services allowing the cardholder to obtain or cultivate marijuana. Arizona employers need to understand how this new law will impact personnel policies.

*The following FAQs come from SCF – Arizona’s leading provider of workers’ compensation insurance. Founded in 1925, SCF has nearly 35,000 policyholders and covers more than 50 percent of all businesses working in Arizona.*

**Q. Will SCF Arizona and its subsidiary companies continue to offer the Arizona Alcohol and Drug-Free Workplace Pre-**

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## Medical Marijuana in the Workforce

### May Membership Meeting

**DATE:** May 17, 2011  
**TIME:** 8:30-10:00 a.m.  
**LOCATION:** American Express  
 18850 N. 56th Street  
 Phoenix, AZ



*Please RSVP by Friday, May 13 to [azquada@aol.com](mailto:azquada@aol.com)*

## Speakers' Profile



**Neil Alexander**  
**Shareholder**  
**Littler Mendelson, P.C.**

Neil Alexander is a Shareholder in Littler's Phoenix office. He is a trial attorney who regularly defends companies against claims of wrongful termination, unfair competition and trade secret violations, non-competition agreements, whistleblower claims, harassment and discrimination claims.

Neil has been recognized as the "Best of Arizona, Employment Law" for 2011, "Southwest Super Lawyer, Employment Law" in 2007, 2008, and 2009 and a Top Arizona Lawyer in 2009 and 2010, as published in *Arizona Business Magazine*. Neil has also served as a Board Member and Legal Counsel to the AZ SHRM State Council since 2002, is Board Chair of Maricopa County Workforce Connections, and serves on the Legislative Advisory Committee for the National Association of Professional Employer Associations.

Within Littler, Mr. Alexander is also co-chair of the Firm's Contingent Worker Practice Group which focuses on the legal issues that arise out of staffing firm and PEO relationships. He is also a member of the Healthcare and Privacy Litigation Practice Groups.

### Education

J.D., University of San Diego, 1993  
London Institute of Comparative Law, 1991  
B.A., University of Washington, 1990

### Publications

Mr. Alexander regularly contributes to articles in local Arizona newspapers, authors publications for trade association newsletters and has been interviewed on National Public Radio.

- "Patriotism and Religious Discrimination in the Workplace," *MPHRA Newsletter*, September 2002
- "Legal Landmines of Employee Separations," *The Corporate Counselor* (Maricopa County Bar Association), Winter 2003
- "Trade Secrets," *California Labor and Employment Law Quarterly*, Spring 1993
- "The Five Biggest Mistakes Employers Make," *Nevada Lawyer*, June 1996
- "Negligent Hiring, Training, Supervision, and Retention in Nevada," *Nevada Lawyer*, April 1997
- "Negligent Hiring," *HR Advisor, Legal & Practical Guidance*, November / December 1997

### Honors & Awards

- Best of Arizona, Employment Law, 2011
- Southwest Super Lawyer, Employment Law, 2007, 2008, and 2009
- Top Arizona Lawyer, 2009, 2010, as published in *Arizona Business Magazine*

## The Arizona Medical Marijuana Act – Implications for Employers (Cont)

### ***mium Credit to employers with employees who have been issued medical marijuana cards?***

**A.** Yes, as long as employers continue to administer their drug and alcohol testing programs as required under ARS §23-493 et seq. subject to the requirements of the new law, as more fully explained below.

### ***Q. Will workers' compensation benefits cover the purchase of medical marijuana?***

**A.** No, the law does not require public or private insurance to reimburse a person for costs associated with the medical use of marijuana. In addition, workers' compensation carriers in other states that have similar medical marijuana laws, such as Montana, have taken the position that the carrier cannot be compelled to pay for marijuana because the possession and use of marijuana is still illegal under federal law. Under the federal Controlled Substances Act, it is unlawful to manufacture, distribute, dispense or possess any controlled substance except as otherwise authorized by federal law for medical use. Marijuana is classified under federal law as a Schedule I substance. Schedule I substances are declared to have no accepted safety for use in

medically supervised treatment and therefore renders the manufacture, distribution or possession of marijuana a criminal offense.

### ***Q. Can an employer prohibit marijuana use at work?***

**A.** Yes. The law does not protect an employee who possesses marijuana or uses it on the employer's premises or during work hours. The law also does not protect an employee who is impaired from marijuana at work.



Your employment policy should state that possession or use of, or impairment from marijuana in the workplace will not be tolerated. Marijuana will be treated like any other lawfully prescribed drug that may impair an employee's functioning at work. An employer should not tolerate any employees being impaired from drugs, legal or illegal, at work. Your policy should state this and state that employees should not report to work impaired. The employee should notify his supervisor of any impairment from medication that could

pose a safety risk or affect the ability to work. Be aware that the employee does not need to identify the medication or the medical condition to the supervisor but the time off may be covered under ADA and/or FMLA and those processes may apply.

The new law also provides that an employer may refuse to hire or continue employment of a cardholder if the hiring or continued employment of the registered qualifying cardholder would cause the business to lose a monetary or licensing-related benefit under federal law or regulations.

### ***Q. What if an applicant tests positive in a pre-employment drug test?***

**A.** You cannot refuse to hire the applicant automatically. Employers cannot discriminate against an applicant for medical marijuana use if the applicant is a registered cardholder. Determine whether the applicant is a registered cardholder. If so, the employer cannot base the hiring decision on the applicant's medical marijuana use outside of work. If marijuana use outside of work poses a safety risk, you may be able to refuse to hire the applicant. In addi-

## The Arizona Medical Marijuana Act – Implications for Employers (Cont)

tion, an employer who would lose a federal license by employing a marijuana user is not required to employ the individual. This analysis is complex and it is recommended that you seek legal advice in this situation .

**Q. What if a current employee tests positive for marijuana on a drug test?**

**A.** You cannot automatically terminate the employee. Determine whether the employee is a registered cardholder. If so, and the employee was not using marijuana at the workplace and was not impaired on the job, then the employer may not terminate, discipline or discriminate against the employee. Marijuana will be treated like any other lawfully prescribed drug that may impair an employee's functioning at work.

**Q. Can an employer terminate an employee for being under the influence of marijuana at work?**

**A.** Yes, but it is difficult to determine whether a person is under the influence of marijuana in the workplace. Under the law, "under the influence" does not include a registered qualifying patient who has a presence of metabolites or components of marijuana that appear insufficient to cause impairment.

If the employer is able to document signs that the employee is under the influence, and witness testimony indicates use, possession or impairment at work, you may be able to substantiate that the employee is under the influence in violation of your policy.

**Q. If it can be proved that the employee was impaired or under the influence of medical marijuana at work and the employee sustains a work injury, can the claim be denied?**

**A.** In general, the answer to this question is "no," and it does not matter whether the employee is a cardholder or not. The Arizona Supreme Court has held that a claim for workers' compensation benefits cannot be denied even if the employee was impaired at the time of the injury as long as the employee was performing some aspect of work at the time of the injury. Only if the employee completely abandons the employment can a claim be denied.

**Q. Should employers change their drug-testing policies to comply with the law?**

**A.** Yes. Update your policies relating to drug use and drug testing to remove any

language that says the employer will not hire or will terminate an employee who tests positive for marijuana. Add language to create an exception for registered cardholders. Your policy should state that you do not tolerate the possession, use of or impairment from marijuana at the workplace.

Also, update your anti-discrimination policy to prohibit discrimination against employees or applicants based on their status as a cardholder.

**Q. What if an employee uses marijuana for medical reasons and tells a manager?**

**A.** Keep the status of applicants and employees who are medical marijuana users confidential. As with any medical information, keep any information you receive in a file separate from the employee's personnel file. Remember that the law prohibits discrimination based on the employee's status as a cardholder.

**Q. If an employee tells the employer that marijuana is used for medical reasons, does that mean the employee has a "disability" under the Americans with Disabili-**

## The Arizona Medical Marijuana Act – Implications for Employers (Cont)

### **ties Act (ADA)?**

**A.** Maybe. The medical condition may constitute a disability as defined under the ADA. If it does, the employer will be required to engage in the interactive process to discuss with the employee if reasonable accommodations are appropriate. Many of the medical conditions defined in the law are likely to constitute a disability under the ADA. Be aware that the employee may also be eligible for leave under the Family Medical Leave Act (FMLA) if the condition is a “serious health condition” as defined by the FMLA.

### **Q. What other restrictions apply to the use or possession of medical marijuana?**

**A.** The law does not allow a cardholder to smoke marijuana in any public place (including public transportation) or to possess marijuana on a school bus, preschool

or primary or secondary school or in any correctional facility. The law also does not change existing laws that prohibit the operation, navigation or being in actual physical control of any motor vehicle, aircraft or motorboat while under the influence of marijuana.

\* \* \* \* \*

*This information was designed to provide information for policyholders and clients of SCF and its subsidiaries and should not be construed as legal advice or opinion. Receipt of this information does not establish an attorney-client relationship.*

*For more information, go to: [https://www.scfaz.com/about\\_us/about\\_us.php](https://www.scfaz.com/about_us/about_us.php).*

**Be sure to join us on May 17 for a more  
indepth discussion on this topic.**

***(HRCI Pre-approved 1.5 General Credits)***

**8:30-10:00 a.m.**

**American Express**

**8850 N. 56th Street, Phoenix**

***(No cost to Members and their Guests)***

***Please RSVP by Friday, May 13 to***



**From the Desk of...  
USDOL**



**Equal Pay  
Day:  
1 Year, 3  
Months,  
and 12  
Days**

By DOL Secretary Hilda Solis  
April 12, 2011

As a growing segment of America's workforce, women now hold nearly half of today's jobs. Their earnings account for a significant portion of the household income that sustains the financial well-being of their families.

Almost 50 years after enactment of the Equal Pay Act, equal pay for equal work remains elusive for millions of working women. In fact, over the past 10 years, the pay gap has remained virtually unchanged. Today in America, women are paid an average of 80 cents for every dollar paid to men. The pay gap is even larger for women of color, with black women earning about 70 cents, and Latinas about 60 cents, of every dollar paid to all men.

When women start at a disadvantage, they stay at a disadvantage. Every time a woman starts a new job or tries to negotiate for a pay raise, she is starting from a lower base salary. So, the pay gap grows wider and wider over time. According to the Labor Department's chief economist, the pay gap for the average, full-time working woman means she gets \$150 less in her weekly paycheck. If she works all year, that's \$8,000 less at the end of the year and approximately \$380,000 over a lifetime. That is the real cost of the pay gap.

In his 2010 State of the Union address,

President Obama said he wanted to crack down on equal pay violations. As a result, he established the National Equal Pay Enforcement Task Force that comprised four federal agencies, including the Labor Department. Working together, we have identified persistent challenges to equal pay enforcement and are taking action to address each of them.

At the Labor Department, we are increasing our enforcement against employers who discriminate, leveling the playing field for those who do not, strengthening our regulatory authorities and creating opportunities for workplace flexibility so that women can make reasonable choices to care for their families without being penalized. The department's Women's Bureau is developing educational materials, including information to help employers identify potential wage discrimination and resources to assist employers in complying with the law. Our Office of Federal Contract Compliance Programs will issue new guidance to collect better data on how workers are paid as part of our efforts to root out discrimination among federal contractors.

Equal pay is not just a women's issue. It's not just a family issue. It's a recovery issue. I am committed to finding common-sense solutions to closing the pay gap once and for all so that our nation will be a more fair and equitable place for everyone.

*EEOC is offering a FREE Fair Pay Day outreach event. See their flyer on Page 7 for more information.*

**Olive Garden Agrees to Pay  
Back Wages, Civil Penalties**

Darden Restaurants Inc., doing business as Olive Garden in Mesquite, Texas, has agreed to pay \$25,000 in back wages to 140 servers following an investigation by the department's Wage and Hour Division

# Arizona Fair Pay Event

## May 10, 2011



**When:** Tuesday, May 10th  
9:00 a.m.—Noon

**Where:** U.S. EEOC  
3300 North Central Avenue  
10th Floor Conference Room  
Phoenix, AZ 85012

**Why:** Promote Equal Pay

Understand why unequal pay exists and best practices for achieving equal pay for equal work

**RSVP:** Krista Watson  
(602) 640-4995  
Krista.watson@eeoc.gov

Please contact Krista Watson if you need a reasonable accommodation to fully participate in this event.

## AGENDA

Why is there still a wage gap between men and women in the workplace?

What employment policies/practices contribute to the wage gap?

What are best practices for employers to close the wage gap?

What are effective strategies for employees who believe they are being paid less than their co-workers?

EEOC ACRD and OFCCP Perspective

**This is a free event open to employers, unions, employees and the general public**  
**Please note we cannot validate parking**

Median earnings for and earnings ratio between male and female full-time, year-round workers, ages 16 and older, all education levels  
Arizona: Men: \$41,524 Women: \$34,556

Median earnings for an earnings ration between male and female full-time, year-round college-educated workers age 25 and older  
Arizona: Men: \$66,000 Women: \$48,000

Source: American Community Survey, the U.S. Census Bureau Data compiled and analyzed for AAUW by JSI Associates

## ***From the Desk of... USDOL***



which found violations of the Fair Labor Standards Act. The restaurant was also assessed \$30,800 in civil money penalties. T

The investigation determined that the employer allowed workers to clock in once customers were seated instead of at the start of their scheduled work shifts, resulting in shorter compensated hours and fewer wages paid. "The resolution of this case demonstrates that we will use every available enforcement tool, including the assessment of civil money penalties, to bring violators to justice and deter all restaurants in the area from committing future labor violations," said Cynthia Watson, regional administrator for WHD in the Southwest.

### **DOL Debars Seattle-Based Federal Contractor for Violating Minimum Wage, Overtime & Record-Keeping Laws**

The U.S. Department of Labor has debarred HWA Inc., President John Wood and Vice President Barbara Wood from future government contracts for three years, due to significant and repeated violations of the McNamara-O'Hara Service Contract Act and the Contract Work Hours and Safety Standards Act. Seattle-based HWA provided security services as a contractor to various federal facilities, government offices and public works projects in the states of Washington, Oregon, Idaho, Missouri and New York.

"The Labor Department will not allow

federal contractors to misuse public funds and exploit hardworking laborers by denying their rightful wages," said Secretary Solis. "Debarring violators such as HWA from future contracts ensures a level playing field, so that honest companies are not placed at a competitive disadvantage for playing by the rules, and paying their workers full and fair prevailing wages."

Since 2001, the Wage and Hour Division has conducted more than 15 investigations of HWA, finding significant back wages were owed to hundreds of workers nationwide.

### **More Than \$162,000 in Back Wages Recovered for 35 Minimum Wage Employees**

The Wage and Hour Division has recovered \$162,201 in back wages for 35 employees in Los Angeles, California, after an investigation found that Ayara Thai Cuisine paid the majority of its employees below the minimum wage. The workers were paid in cash at a flat rate for all hours worked and without regard to overtime for hours worked in excess of 40 in a week, as required under the Fair Labor Standards Act.

"Many restaurant workers in the Los Angeles area are subject to unacceptable wage practices and irregularities and we are determined to make sure that these and many other vulnerable workers in the restaurant industry get paid the way they should," said Kimchi Bui, director of WHD's Los Angeles District Office.

*For more information on any of the DOL articles found herein, go to:  
<http://www.dol.gov>.*





**The Louisiana ILG  
is privileged to host the**

**29th Annual Industry  
Liaison Group National  
Conference**

***“Embrace the Rhythms of Harmony & Equality”***  
**July 25-29, 2011**

**at the New Orleans Marriott**



**Early Registration ends  
May 1st so book now to save  
\$200 off your registration**

- \$495 (2 1/2 day conference) register by April 29
- \$645 (3 1/2 day preconference and conference) register by April 29
- \$695 (2 1/2 day conference) register after April 30
- \$845 (3 1/2 day preconference and conference) register after April 30

**Register at:**

**<http://www.ilgconference2011.com>**

***From the Desk of...***  
**EEOC**



**Walmart to Pay \$440,000 to  
Settle EEOC Suit for  
Harassment of Latinos**

*Mexican-American Subjected Other  
Hispanic Employees to Ethnic Slurs at  
Fresno Sam's Club*

FRESNO, Calif. – Sam's Club, the wholesale chain store owned and operated by Walmart, will pay \$440,000 and furnish other relief to settle a national origin harassment lawsuit filed by the U.S. Equal Employment Opportunity Commission (EEOC).

The EEOC contends that at least nine employees of Mexican descent at the Sam's Club in Fresno, along with one who was married to a Mexican, endured ethnic slurs and derogatory remarks by a fellow co-worker who is Mexican-American. Since late 2005, the victims were barraged with near-daily insults about Mexicans such as "f---n' wet-backs," and references to Mexicans only being good for cleaning the harasser's home, according to the EEOC. The harasser even threatened to report three of the victims to immigration authorities despite their legal status. The victims and harasser – all female – worked in the demonstration department, serving food samples to customers.

The victims complained about the hostile work environment to management as early as April 2006 to no avail. Instead, the complaints only intensified the harassment and led to intimidation, said the EEOC. Another employee also began deriding a victim for her inability to speak English. It was not until after

an official EEOC charge of discrimination was filed in October 2006 that Sam's Club finally discharged the harasser in December 2006.

In May 2009, the EEOC filed its lawsuit in U.S. District Court, Eastern District of California (*EEOC v. Walmart Stores, Inc. dba Sam's Club, et al.*, Case No. 09-CV-00804), claiming that the harassment, and Walmart's failure to appropriately address it, were in direct violation of Title VII of the Civil Rights Act of 1964. Aside from the monetary relief, the parties entered into a three-year consent decree which requires Walmart to comply with the following at its Sam's Club locations in Fresno and/or Bakersfield, Calif.:

- Review and make available its policies against and complaint procedures for national origin discrimination, harassment and retaliation;
- Provide training to non-management employees in the Fresno location regarding anti-discrimination laws, including national origin discrimination and harassment;
- Provide separate training to management employees in the Fresno and Bakersfield locations which will include training on how to receive, investigate, or report to designated officials complaints of national origin discrimination, harassment and retaliation;
- Set up a record-keeping procedure for the Fresno location that provides for the centralized tracking system for such complaints;
- Report the handling of such complaints and compliance with the decree to the EEOC; and
- Provide neutral references for the victims upon inquiry.

"We commend Walmart for taking the issues of national origin harassment se-

## ***From the Desk of...*** **EEOC**



riously and implementing preventative measures,” said Anna Y. Park, regional attorney for the EEOC’s Los Angeles District Office, which includes Fresno in its jurisdiction. “A work environment that is free of harassment ensures a more productive and vibrant workplace for all.”

Melissa Barrios, director of the EEOC’s Fresno Local Office, added, “National origin discrimination remains a serious problem in this region, and it is important to remember that harassment can manifest even within the same ethnic group. Employers failing to take immediate action send a message that such behavior is tolerated, giving license for others to do the same.”

According to company information, Walmart Stores, Inc. is an Arkansas-based international retailer, operating more than 8,300 stores worldwide, including Sam’s Club warehouses.

### **EEOC Sues Owner of 42 McDonald’s Restaurants for Sexual Harassment and Retaliation**

*Multiple Women, Including Teens, Were Abused at Reedsburg Restaurant; Some Were Fired for Complaining, Federal Agency Charges*

The McDonald’s restaurant in Reedsburg, Wis., owned and operated by Missoula Mac, Inc., violated federal civil

rights laws by permitting male employees to create a hostile work environment of sexual harassment against female employees, the U.S. Equal Employment Opportunity Commission (EEOC) charged in a lawsuit it filed in federal district court in Madison, Wis.

The EEOC filed suit on behalf of a class of women it said were subjected to sexual comments, sexual propositions, or physical touching by co-workers. The suit also alleges that some of the women were fired in retaliation for complaining about the sexually hostile work environment and that the harassment was so intolerable that at least one woman was forced to quit her job to avoid it.

John Rowe, director of EEOC’s Chicago District, which includes Wisconsin, noted that the agency’s administrative investigation, which preceded the lawsuit, revealed that male employees at the Reedsburg McDonald’s made sexual comments about the bodies of female co-workers, propositioned them, and touched them inappropriately. Further, Rowe said, several of the victims were teenaged high school students.

“One of the distressing things is how young some of the victims appear to have been,” said Rowe. “Another is that

#### ***Why Join Quad A?***

For over 35 years, Quad A has been providing its members with quality, up-to-date information through workshops, seminars and conferences. Participating in monthly meetings builds your network of professional contacts in the areas of HR, EEOC, AA, Compensation, and other areas of interest. Membership entitles you to exclusive benefits on our website, monthly newsletters, discounts on quarterly meetings, workshops, seminars, the Annual Conference (in April) and Compliance Conference (in the fall).

For more information and to join us, go to

**[www.azquada.org](http://www.azquada.org)**

## ***From the Desk of... EEOC***



some of the employees who complained about what was going on were allegedly either fired or ignored. It's cause for considerable concern, especially at a business which employs so many young and vulnerable women."

The EEOC's lawsuit stems from discrimination charges filed by three former employees of the McDonald's restaurant located at 1500 Main Street in Reedsburg. In total, Missoula Mac owns and operates 42 McDonald's restaurants in Wisconsin.

The EEOC sued after first trying to reach a voluntary settlement out of court through its conciliation process. The agency seeks lost wages and compensatory and punitive damages for the women who were harassed, retaliated against, or both, and injunctive relief to end the discriminatory practices. The suit, captioned *EEOC v. Missoula Mac, Inc., d/b/a McDonald's Restaurant* (Civil Action No. 3:11-cv-00267), was filed in U.S. District Court for the Western District of Wisconsin in Madison. The case will be litigated primarily by attorneys in the EEOC's Milwaukee Area Office.

John Hendrickson, EEOC regional attorney for the Chicago District said, "McDonald's is one of the most well-known brands in America and the world, and its image is one of complete reliability, good taste and wholesomeness. What we found was allegedly going on at the McDonald's in Reedsburg was something completely different and illegal. This litigation is going to put the Reedsburg McDonald's under a well-deserved microscope, and, if the allegations are borne out, assure that appro-

priate relief is provided to the victims and that the harassment is brought to a halt."

## **EEOC Sues Gannett Companies For Disability Discrimination**

*Federal Agency Says Media Giant  
Fired a High Performer Because of  
Mental Disability*

PHOENIX -- The U.S. Equal Employment Opportunity Commission (EEOC) announced that it has filed a disability discrimination lawsuit against Gannett Company, Inc. and Gannett Media Technologies, Inc. charging the companies with firing an employee because she had a disability.

According to the EEOC's suit, Ms. Parker-Garcia worked in Gannett's Tempe, Ariz., facility as an application support analyst. After Parker-Garcia returned from a medical leave of absence because of a mental disability, the Gannett companies unlawfully discharged her, in violation of the Americans With Disabilities Act (ADA). The suit further alleges that during her employment, Parker-Garcia exceeded expectations and was up for a promotion when she went on the medical leave.

Such alleged conduct violates Title I of the ADA, which prohibits private employers, state and local governments, employment agencies and labor unions from discriminating against qualified individuals with disabilities in job application procedures, hiring, firing, advancement, compensation, job training, and other terms, conditions and privileges of employment. The ADA covers employers with 15 or more employees, including state and local governments.

The EEOC filed suit (*EEOC v. Gannett Company, Inc. and Gannett Media Technologies, Inc.*, Case No. (CV 11-00675-



## ***From the Desk of... EEOC***



PHX-DKD) in U.S. District Court for the District of Arizona in Phoenix after first attempting to reach a pre-litigation settlement through its conciliation process. The agency is seeking monetary relief including back pay with prejudgment interest, compensatory damages, and punitive damages. The agency is also seeking an injunction prohibiting future discrimination and any other curative relief to prevent the Gannett companies from engaging in any further discriminatory practices.

“Individuals with disabilities, including mental disabilities, are an underutilized resource that employers should utilize,” said EEOC Regional Attorney Mary Jo O’Neill. “Many disabled persons are qualified, ready and willing to work - - all they need is an equal opportunity. Employers must remember that disability does not mean inability. Cases such as these are important to society because they confirm that workers who want to work, but are prevented from doing so by employers because of a real or perceived disability, are protected by the law.”

Rayford O. Irvin, district director of the EEOC’s Phoenix District Office, added, “We will continue to vigorously pursue our mission of fighting employment discrimination on all fronts, including discrimination against people who suffer from mental disabilities. The ADA was enacted in part to eliminate discrimination based on stereotypes and fear. We will actively pursue cases where this type of discrimination is reasonably believed to exist.”

According to company information,

the McLean, Va.-based Gannett Companies’ holdings include 82 U.S. daily newspapers, including USA Today, reaching 11.6 million readers every weekday and 12 million readers every Sunday. Gannett’s 23 TV stations reach 21 million households, covering 18.2 percent of the U.S. population.

*The EEOC is the federal agency that enforces federal laws prohibiting employment discrimination. Further information about the EEOC is available on the agency’s web site at [www.eeoc.gov](http://www.eeoc.gov).*

# 2011 Membership Application

Thank you for your continuing interest in and support of the Arizona Affirmative Action Association (Quad A). Our members include professionals in the fields of human resource management, equal employment opportunity, affirmative action, workplace diversity and other related fields. For over 35 years, Quad A has been providing its members with quality, up-to-date information through workshops, seminars and conferences. Your membership entitles you to a monthly newsletter, quarterly meetings/workshops, seminars, the Annual Conference (in April) and Compliance Conference (in the fall). Most activities are included in your membership; others are offered at a substantial discount. At only \$75 per year (Jan-Dec), membership in Quad A is a true value for the money. *(Individual memberships only; no organizational memberships at this time.)*

Goals of the Arizona Affirmative Action Association are to:

- Promote equal employment opportunity, diversity and affirmative action in the workplace.
- Promote awareness and recognition in the workplace and the community of the benefits of taking affirmative action to provide equal employment opportunities
- Share and disseminate up-to-date information on EEO, AA and diversity issues, legislation, judicial decisions, best practices and trends.
- Provide an opportunity for professionals interested in EEO, AA and diversity issues to network and communicate.

*Quad A is a nonprofit 501(c)3 organization (TIN 86-0966437).*

***Membership applications/renewals can be made online at [www.azquada.org](http://www.azquada.org).***

*If paying by check, please return this renewal form along with a check or credit card for \$75 made payable to Arizona Affirmative Action Association to our office at P.O. Box 1848, Phoenix, AZ 85001.*

## MEMBERSHIP APPLICATION/RENEWAL

Member Name: \_\_\_\_\_

Company Name: \_\_\_\_\_

Title: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City/State/Zip \_\_\_\_\_

Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

E-mail (for member communications only): \_\_\_\_\_

**Arizona Affirmative  
Action Association  
(aka) "Quad A"**

**P. O. Box 1848  
Phoenix, AZ 85001  
Phone: 555-555-5555  
E-fax: 602-321-6016  
E-mail: azquada@aol.com**

**We're on the Web!**  
**azquada.org**

**Board Members & Officers**

**John Garza, President**  
JAG Specialties, LLC  
(602) 300-2023

**Maria Sandoval, PHR, Vice President**  
MAS Specialists, LLC  
623-451-6389

**Rebecca Rand, SPHR, Recording Secretary**  
American Express  
(602) 537-2960

**Gail Painter, PHR**  
Apollo Group  
602-557-7586

**Marian Enriquez, CCEP, MHCS, PHR**  
The Sundt Companies, Inc.  
(480) 293-3108

**Neil Bourque, SPHR**  
Childhelp  
480-922-8212 x426

**George Thorne**  
Jobing.com  
(602) 914-7507

**Lisa Barnum**  
Boeing Company  
480-648-7944

**Evelyn Miller**  
Raytheon  
520-794-9997

**Charlene Valestin, SPHR**  
Zions Bancorporation  
(928) 899-4199

**Lida Daniel**  
Blood Systems  
(602) 414-3517

**Thomas D. Arn, Esq**  
**Quad A Legal Counsel**  
Ogletree, Deakins  
602-778-3702

**Flossie Christensen, Chair**  
**Las Vegas SNILG Chapter**  
Bank of Nevada  
(702) 248-4200

**Quad A Administrator**  
**Chris Weakland, SPHR**

Legacy Partners Consulting & Coaching, LLC  
(602) 377-0404

**Membership meetings are the 3<sup>rd</sup> Tuesday  
of every month from 8:30-10:00 a.m.**

# 2011 Calendar of Events

| DATE   | TOPIC   | HOST & LOCATION  |
|--|---|--|
| Jan 18, 8:30-10:00   | 2011 Forecast & Trends in Employment                                  | Blood Systems<br>4405 E. Cotton Center<br>Suite 120<br>Phoenix             |
| Feb 15, 8:30-10:00   | Compliant & Effective Job Descriptions & Postings                     | To Be Announced  |
| Mar 15, 8:30-10:00   | Can Your Organization Make the Grade?<br>Passing the OFCCP/EEOC Tests | To Be Announced  |
| Apr 19, 8:00-4:00<br>Cost:<br>Members \$100<br>Nonmembers \$150  | 36th Annual Conference  | Desert Willow<br>Conference Center<br>4340 E Cotton Center #100<br>Phoenix |
| May 17, 8:30-10:00   | Medical Marijuana in the Workforce                                    | American Express<br>18850 N. 56 <sup>th</sup> Street,<br>Phoenix           |
| June 21, 8:30-10:00  | Disabled/Vets Outreach --<br>Good Faith is Not Enough                 | Sundt (Los Alamos Rm)<br>2620 S. 55 <sup>th</sup> Street<br>Tempe          |
| July 25-29   | Annual National ILG Conference  | New Orleans  |
| <b>AUGUST</b>  | <b>MID-SUMMER BREAK</b>   | <b>MID-SUMMER BREAK</b>  |
| Sept 20, 8:30-10:00  | Best Practices:<br>Communicating AAPs                                 | To Be Announced  |
| Oct 16, 8:30-10:00   | Best Practices:<br>Diversity – Not Why<br>But How                     | To Be Announced  |
| Nov 15, 8:30-10:00<br>COST:<br>Members \$100<br>Nonmembers \$150 | 14th Annual<br>Compliance Conference                                  | Desert Willow<br>Conference Center<br>4340 E Cotton Center #100<br>Phoenix |
| Dec 6, 8:30-11:30<br>COST:<br>Members FREE<br>Nonmembers \$75    | Annual Members Only<br>Holiday Roundtable                             | To Be Announced  |